

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

JOANN COLWELL

PLAINTIFF

VS.

NO. 1-07-cv-00010 BSM

**SHELTER MUTUAL INSURANCE COMPANY and
ARKANSAS SCHOOL BOARDS ASSOCIATION
WORKERS COMPENSATION TRUST**

DEFENDANTS

CONSENT ORDER OF DISMISSAL WITH PREJUDICE

Plaintiff filed this cause of action on February 16, 2007 against Shelter Mutual Insurance Company and the Arkansas School Boards Association Workers' Compensation Trust. Plaintiff's cause of action asserted claims against Shelter Mutual Insurance Company for underinsured motorist benefits and against Arkansas School Boards Association Workers' Compensation Trust asserting that it claimed a lien against any amount recovered by the plaintiff.

On March 12, 2007 Risk Management Resources, the third party administrator for the Arkansas School Boards Association Workers' Compensation Trust, filed a Motion for Leave to Intervene and a Complaint in Intervention with the Sharp County Circuit Clerk. While it is unclear whether the Motion for Leave to Intervene was ever granted by the Sharp County Circuit Court, Risk Management Resources filed a Complaint in Intervention in state court on March 12, 2007. Shelter Mutual Insurance Company then removed this matter to Federal Court on March 15, 2007.

While the Court has not taken any action with regard to the Complaint in Intervention, it has been undisputed by plaintiff, Joann Colwell, and Shelter Mutual Insurance Company that plaintiff settled with her workers compensation carrier and third party administrator on April 27, 2007. See Docket #14-2.

Counsel for the plaintiff, Joann Colwell, and defendant, Shelter Mutual Insurance Company, have now represented to the Court that the plaintiff's complaint and action against Shelter Mutual Insurance Company has been compromised and settled and the same should be dismissed with prejudice.

Since all of the claims between the various parties have been resolved by way of settlement, it is, therefore, by the Court considered, ordered, and adjudged that the plaintiff's complaint against Shelter Mutual Insurance Company and the Arkansas School Boards Association Workers' Compensation Trust as well as the Complaint in Intervention filed by Risk Management Resources should be, and the same hereby are, dismissed with prejudice. The clerk is instructed to enter a final judgment accordingly.

IT IS SO ORDERED.



Hon. Brian S. Miller
United States District Judge

Dated: December 11, 2008